

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

MICHAEL WAYNE MATHISON,

Plaintiff,

v.

ZACHARY SHANNON, et al.,

Defendants.

Case No. 1:24-cv-00427-KES-SAB

ORDER TO SHOW CAUSE WHY ACTION  
SHOULD NOT BE DISMISSED

(ECF No. 13)

**FOURTEEN-DAY DEADLINE**

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On September 3, 2024, the Court screened Plaintiff's second amended complaint, found he stated a cognizable excessive force claim under the Fourth Amendment against Defendant Zachary Shannon, and granted Plaintiff thirty days to either file an amended complaint or notify the Court of his intent to proceed only on the claim found to be cognizable. (ECF No. 13.) Plaintiff has failed to file either a notice of intent to proceed or an amended complaint and the time to do so has passed. Accordingly, Plaintiff shall be ordered to show cause why the action should not be dismissed for failure to prosecute and failure to comply with a court order.

Accordingly, it is HEREBY ORDERED that:

1. Within **fourteen (14) days** from the date of service of this order Plaintiff shall show cause why the action should not be dismissed; and

///

2. Failure to comply with this order will result in a recommendation to dismiss this action for failure to prosecute and failure to comply with a court order.

IT IS SO ORDERED.

Dated: October 8, 2024

  
UNITED STATES MAGISTRATE JUDGE